

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2004-499

August 10, 2004

CENTRAL MAINE POWER COMPANY
Request for Approval of a Second
Amendment to Special Rate Contract
with Dayken Pallet

ORDER APPROVING
CONTRACT

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

SUMMARY OF DECISION

By this Order, the Commission approves Central Maine Power Company's (CMP's) proposed second amendment to its customer service agreement (CSA) with Dayken Pallet.

DISCUSSION AND DECISION

On July 21, 2004, CMP filed with this Commission a proposed second amendment to its CSA with Dayken Pallet. This contract does not comply with all conditions of Attachment 6 of the ARP 2000.¹ Pursuant to Attachment 6, contracts with terms of no more than one year beyond the term of the ARP, that are not anti-competitive or unduly discriminatory, that provide annual, usage-sensitive revenues in excess of annual, usage-sensitive marginal costs, and that provide total revenues in excess of the Company's total marginal cost floors plus an adder over the term of the contract, go into effect automatically 30 days after they are filed. The prices in this contract amendment, however, while above the marginal cost floors, are not greater than the marginal cost floors plus an adder. Therefore, in order to become effective, this CSA requires Commission review and approval.

We have reviewed the amendment to the CSA and find that the revenue loss (relative to retail rates) associated with this discount contract is not large enough to present significant risk to CMP's other customers. Therefore, we will allow the amendment to the CSA to go into effect.

Accordingly, we

O R D E R

That the Second Amendment to the Customer Service Agreement with Dayken Pallet, filed by Central Maine Power Company on July 21, 2004, is hereby approved

¹ ARP 2000 was approved by Commission Order Approving Stipulation dated November 16, 2000 in Docket No. 99-666.

and may become effective as of the expiration of the customer's prior contract, as requested by CMP.

Dated at Augusta, Maine, this 10th day of August, 2004.

BY ORDER OF THE COMMISSION

Raymond J. Robichaud
Acting Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond
 Reishus

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.